

REMARKS**A. Status of the Claims and Explanation of the Amendments**

Currently, claims 1-12 are pending. Claims 1-3, 5, 8-10, and 12 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,873,099 to Maeda (“Maeda”).¹ Claims 4, 6-7, and 11 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Maeda, in view of U.S. Patent No. 6,507,279 to Yokoyama (“Yokoyama”).

In this paper, independent claims 1 and 9 have been amended to further clarify the invention. These claims now recite, inter alia, “wherein each organic electroluminescent body is located opposite to a single corresponding color filter member that has the same color as the color of light emitted from the organic electroluminescent body”. Support for these amendments is found throughout Applicant’s specification. See e.g., Figures 1-4 and the accompanying text. No new matter has been added by this amendment.

B. Maeda Does Not Anticipate Applicant’s Claims

Applicant respectfully traverses the rejection of claims 1-3, 5, 8-10, and 12 as allegedly being anticipated by Maeda. Briefly, Maeda does not teach, disclose, or suggest all of the claim elements of Applicant’s claimed invention. Accordingly, the rejection should be withdrawn. See MPEP §2131.

¹ On page 2 of the February 22, 2006 Office Action, paragraph 2 actually states that “[c]laims 1, 2-3, 5, 8-10, and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Mori et al. U.S. Patent Publication 2002/0033908 A1.” However, the grounds of rejection that follow this sentence refer to the Maeda patent, not the Mori application, and the reference numerals cited in the following text are consistent with Maeda. Moreover, on page 7 of the Office Action, paragraph 5 states that Applicant’s previous response to a rejection of claims 1-10 over Mori was “persuasive”, and that the rejection over Mori had been withdrawn. On this basis, it is Applicant’s understanding that the rejection of claims 1-3, 5, 8-10, and 12 in the instant application is over Maeda, not Mori.

Maeda is directed to an electroluminescent device that can be combined with a liquid crystal display to produce an optical display. According to Figure 12 of Maeda, which was relied upon by the Office Action in its rejection of Applicant's claims, the optical display may be a device with an electroluminescent element 210, a liquid crystal panel 111 and a liquid crystal layer 115. Importantly, although Maeda's device contains a color filter layer 120, with red, green, and blue filters (Figure 12A), all of these color filters receive light from a single electroluminescent element 210.

Maeda further states that "[t]he material to comprise each layer of the EL element 210 may be the same as those used in the layers of EL element 10 in the embodiment described earlier" [Maeda, col. 36, lines 60-62]. A review of the earlier portions of Maeda that discuss EL element 10 indicates that the electroluminescent material of EL element 10 may be chosen such that it emits red, blue or green light [e.g., Maeda, col. 34, lines 39-44]. Maeda, however, explains that "[i]t is preferable that white-light emitting material be used in the light emitting layer 164, in particular" [Maeda, col. 36, lines 62-64].

In contrast to Maeda, Applicant's claim 1 recites, *inter alia*,

an organic electroluminescent device...wherein the organic electroluminescent device has a plurality of organic electroluminescent bodies, wherein **each organic electroluminescent body is located opposite to a single corresponding color filter member that has the same color as the color of light emitted from the organic electroluminescent body** [emphasis added].

In other words, each electroluminescent body of the plurality of organic luminescent bodies is matched with a single individual color filter member, such that the color filter member has the same color as the color of light that is emitted from the corresponding organic electroluminescent body.

An inspection of the device in Figure 12 of Maeda reveals that it is significantly different from Applicant's claimed invention. Because all of the differently colored color filters in layer 120 receive light from the same electroluminescent layer 210, Maeda does not teach matching an electroluminescent body with a single corresponding color filter, as recited in Applicant's claims. In fact, Figure 12B shows just the opposite, where light from one electroluminescent layer goes through two separate color filters of different colors.

Thus, Applicant maintains that Maeda fails to teach, disclose, or suggest the "organic electroluminescent device" as recited in Applicant's claim 1. Applicant has reviewed the rest of Maeda and does not see any portion of Maeda that teaches, discloses or suggests the arrangement of "electroluminescent bodies" and "color filter members" recited in claim 1. For at least this reason, Applicant respectfully submits that claim 1 and its corresponding dependent claims are not anticipated by Maeda. For at least similar reasons, claim 9 and its dependent claims are not anticipated either.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1-3, 5, 8-10, and 12 under 35 U.S.C. §102(e) as allegedly being anticipated by Maeda.

C. Applicant's Claims Are Patentable Over the Cited References

Applicant respectfully traverses the rejection of claims 4, 6, 7, and 11 under 35 U.S.C. §103(a) as allegedly being unpatentable over Maeda, in view of Yokoyama. As noted above, all of the color filters of Maeda receive light from a single electroluminescent element 210, unlike the invention claimed in Applicant's independent claims 1 and 9. The Office Action's proposed combination of Maeda and Yokoyama does not relieve this deficiency. The

Office Action merely relies upon Yokoyama for the alleged teachings related to (1) controlling light emission by controlling the applied voltage (claims 4 and 6), and (2) the use of reflective electrodes (claims 7 and 11). However, even if Yokoyama actually contains these teachings, Yokoyama does not teach the “organic electroluminescent device” as recited in Applicant’s claims, because it does not teach the arrangement of “electroluminescent bodies” and “color filter members” as recited in Applicant’s claims.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 4, 6, 7, and 11 under 35 U.S.C. §103(a) as allegedly being unpatentable over Maeda, in view of Yokoyama.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

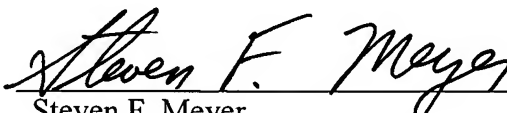
AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. **13-4500**, Order No. 5000-5113. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. **13-4500**, Order No. 5000-5113. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: April 21, 2006

By: 
Steven F. Meyer
Registration No. 35,613

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile